

**DEPARTMENT OF HEALTH
STATE OF WASHINGTON
VETERINARY BOARD OF GOVERNORS
MINUTES OF MEETING
December 11, 2006**

A meeting of the Washington State Board of Veterinary Governors was called to order at 9:30 a.m., on Monday, December 11, 2006, by Camilo de Guzman, DVM, Chair. The meeting was held in Conference Room One, at the Department of Health, Center Point Corporate Park, 20435 72nd Avenue South, Kent, Washington, 98032.

BOARD MEMBERSPRESENT:

Camilo de Guzman, DVM, Chair
Linda Crider, DVM (telephonically)
William Keatts, DVM
Willard Nelson, DVM
Holly Bard, Public Member

STAFF PRESENT:

Melissa Burke-Cain, Assistant Attorney General
Lisa Salmi, Acting Executive Director
Judy Haenke, Program Manager

OTHERS PRESENT:

Candace Joy, Washington State Veterinary Medical Association
Deb Cofer, Washington State Veterinary Technician Association

ORDER OF AGENDA

OPEN SESSION: 9:00 A.M.

1. **Call to Order - Camilo O. de Guzman, DVM, Chair**
 - 1.1 Approval of Agenda
The agenda was approved as written with the addition of correspondence.
 - 1.2 Approval of minutes for August 29, 2006, September 25, 2006, and October 23, 2006.
The minutes were approved as written.

REPORTS:

3. **Camilo O. de Guzman, DVM, Chair**

Dr. de Guzman thanked the members of the Board and staff for their commitment and contributions during his term as Board Chair

4. **Lisa Salmi, Acting Executive Director**

Ms. Salmi reported on the following:

The Department of Health, Health Professions Quality Assurance, is the first state agency to participate in an audit to analyze the economy, efficiency, and effectiveness of state and local government operations.

The Department of Health intends to submit decision packages to the Office of Financial Management for the 07-09 budget. The Department is asking for additional spending authority for reducing the 574 disciplinary case backlog, attorney general services, and completion of the new licensing system, ILRS.

The legislature directed the Department to conduct a criminal background feasibility study.

The Department will begin recruiting for the Executive Director position.

5. **Judy Haenke, Program Manager**

Ms. Haenke provided the budget report including current revenue and expenditures

Statistical information for the Veterinary Technician National Exam and the North American Veterinary Licensing Examination was provided.

Program continues to work with the Office of the Governor to fill Board vacancies.

6. **6. Proposed Rule Making WSR 06-22-099.**

The Board provided an opportunity for comments and discussed adoption of proposed rules related to professional conduct for veterinarians, veterinary technicians and veterinary medication clerks.

The proposed rules create a new chapter concerning standards of professional conduct and provide a clear definition of sexual misconduct.

Dr. William Keatts suggested an amendment to the proposed rules in WAC 246-934-100(1)(g) to read: Suggesting the possibility of a ~~dating~~, sexual or romantic dating relationship;

One comment was received suggesting that the rules be expanded to include unregistered assistants. Melissa Burke-Cain, Assistant Attorney General Advisor to the Board advised that the Board does not have statutory authority to include unregistered assistants.

Following discussion, Dr. Keatts moved to adopt the rules with the proposed amendment to WAC 246-934-100(1)(g). Holly Bard provided a second. All voted in favor of adoption of the rules with the exception of Dr. Linda Crider who voted against adoption.

Staff will prepare the forms and documents to file the final rule.

7. Andrew Mecca, R.Ph., Pharmacist Consultant, Board of Pharmacy.

Mr. Mecca presented an overview of handling, distribution and storage of controlled substances. He also discussed refills and prescription expiration and the required biennial inventory of controlled substances. Mr. Mecca addressed RCW 18.92.013, Dispensing of drugs by registered personnel and RCW 18.92.012 Authority to dispense legend drugs prescribed by other veterinarians.

8. Correspondence

8.1 A licensed veterinary technician submitted a proposal for boarding/treatment facility for horses. Under the proposal, horses that had been seen by veterinarians that required additional treatment or care such as administering medications, changing and managing bandages or other wound care would be treated by the technician at the facility. Following discussion, the Board agreed that the proposal as outlined was not within the scope of practice for registered veterinary technicians.

8.2 The Arkansas Veterinary Board sent an inquiry asking if the Board had a policy that addressed whether a licensed veterinarian could contact a person who had their pet micro-chipped if/when the veterinary discovered that the pet had been found by another client. The Board agreed that there is no rule or policy that addresses this issue.

8.3 The Board received correspondence asking whether there is any law that prevents the veterinarian from writing or releasing a prescription. Following discussion the Board agreed that there may be situations where release of prescription may not be warranted. The Board asked that the writer be advised to provide additional information for the Board to review if they feel that a veterinarian has committed unprofessional conduct.

9. Request to recognize graduates of Canadian Veterinary Medical Association accredited veterinary technology programs.

The Board continued its discussion from the August 29, 2006, meeting regarding the request from the American Veterinary Medical Association (AVMA) to recognize the Canadian Veterinary Medical Association (CVMA) accreditation process of animal health technologists/veterinary technician programs. At its August meeting, the Board requested information from the Washington State Association of Veterinary Technicians (WSAVT) and from AVMA.

Following review of the information, the Board agreed that it would accept CVMA accreditation of animal health technologists/veterinary programs and recognize graduates of CMVA accredited veterinary technology programs as eligible for credentialing, provided other requirements are met. The approval must be incorporated into rule to be effective.

Staff will begin the rule making process.

10. NAVLE retake policy.

The National Board of Veterinary Medical Examiners (NVBME) is proposing options to its current retake policy of the North American Veterinarian Licensing Examination (NAVLE) which recommends that NAVLE candidates be limited to five attempts in a five year period, with a year between each of the final two attempts. The Board was asked to provide comments on one of two possible options.

Following review of the information, the Board was in favor of Option One, to reset the five year clock and still count any NAVLE attempts toward the limit. Staff will relay the information to NBVME.

11. Wright v. Jeckle – Anti-rebating, Chapter 19.68 RCW.

Melissa Burke-Cain, AAG, provided comments on the affect of a Washington State Supreme Court decision regarding Chapter 19.68 RCW, the rebating statute.

Veterinary medicine is outside the scope of the rebating statute.

12. Meeting and Hearing Dates for 2007.

The following meeting and hearing dates have been confirmed:

Regular Business Meetings

March 5, 2007

June 11, 2007

September 27, 2007

December 10, 2007

Hearing Dates, if Needed

February 5, 2007

April 2, 2007

August 6, 2007

November 5, 2007

13 Election of Board Officers for 2007.

- Chair – Willard Nelson, DVM
- Vice Chair – William Keatts, DVM

14. RULEMAKING

14.1 Education and examination requirements:

The Board approved the final draft of the rules related to education and examination requirements to move forward to hearing, with the following exception:

In WAC 246-933-270 Examination results. The reference to the criterion-referenced passing score in both Paragraph (1) and (2) should be corrected to read that the scores are established by the National Board of Veterinary Medical Examiners rather than the AVMA. .

14.2 Patient abandonment and facilities and practice management.

WAC 246-933-060 Patient abandonment

WAC 246-933-310 Definitions.

WAC 246-933-320 General requirements for all veterinary medical facilities.

WAC 246-933-330 Minimum physical facilities.

WAC 246-933-340 Practice Management.

The Board finalized the initial review of these rules. Proposed changes will be sent to stakeholders for comment.

14.2 Continuing education requirements.

WAC 246-933-401 Citation and purpose. .

WAC 246-933-420 Basic requirement—amount.

WAC 246-933-440 exceptions.

WAC 246-933-450 Qualification of program for continuing education credit.

WAC 246-933-460 Programs approved by the veterinary board.

The Board finalized the initial review of these rules. Proposed changes will be sent to stakeholders for comment.

14.4 Animal health care tasks.

The Board will continue its review of this rule at the March 5, 2007, meeting.

15. Other Open Session Business

None Presented

16. Open Forum

There were no comments from the public.

17. Adjournment

The meeting was adjourned at 4:30 p.m.

Signatures on File:

Respectfully submitted: _____
Judy Haenke, Program Manager

Approved: _____
Willard Nelson, DVM, Chair